

STATE OF IOWA

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PRESS RELEASE

FOR IMMEDIATE RELEASE

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IOWA CIVIL RIGHTS COMMISSION ANNOUNCES RESULTS OF STUDY OF DISCRIMINATORY ADVERTISING IN THE RENTAL OR SALE OF RESIDENTIAL PROPERTY

Des Moines, IA – Passed in 1968, and subsequently amended in 1988, the Federal Fair Housing Act is celebrating its fortieth anniversary. This landmark legislation prohibits discrimination based on race, color, religion, sex, national origin, disability and familial status (Iowa law also prohibits discrimination based on sexual orientation and gender identity) in the sale and rental of housing. Included in this legislation is a prohibition on the publication of any advertisements which include discriminatory language or symbols. To measure the level of compliance and understanding of these state and federal fair housing laws, the Iowa Civil Rights Commission (the Commission) conducted a statewide study of residential housing advertisements. In the spring of this year, the Commission publicly announced its intent to conduct this study.

The Commission believes this study provided both a means to measure the level of compliance and just as importantly, to help educate professionals in the sale or rental of housing. According to Ralph Rosenberg, Director of the Commission, “the 40th anniversary provides a good benchmark in time to measure compliance – and educating stakeholders on how to avoid current or future violations – is always timely.”

Advertisements were collected daily and analyzed weekly. By June 21, 2008, 9,646 advertisements had been reviewed. Of these, 76 (0.79%) advertisements were deemed possibly discriminatory and were flagged for further analysis.

No more than 4 possibly discriminatory advertisements were found in any single print publication. Of the 76 possibly discriminatory advertisements reviewed in a secondary analysis, 40 were identified as “likely” discriminatory. The Commission contacted those advertisers and housing providers who appeared to have engaged in discriminatory advertising. The Commission requested an explanation or justification for the apparently discriminatory advertisement. If the advertisement was legally compliant, no further action was needed. If no justification was given, the Commission continued with counseling, publication review, and a follow-up process.

The Commission educated and counseled the advertisers and housing providers and worked with them to address the identified advertisements and prevent similar advertisements from appearing in the future. The Commission also invited advertisers and housing providers to attend one of the 12 Fair Housing Training Workshops being conducted at different locations throughout the State of Iowa.

Although only one advertisement was identified as likely discriminatory on the basis of sex, four other advertisements solicited prostitution in violation of Iowa criminal law. These advertisements were referred to management to determine whether referral to the Iowa Attorney General is appropriate.

Familial Status and Targeting Students -- Of 40 likely discriminatory advertisements, 36 were discriminatory based on familial status. More education regarding this basis would likely decrease the number of advertisements placed which indicate discrimination on the basis of familial status.

Federal and state fair housing laws prohibit the making of any housing related notice, statement, or advertisement which gives an indication to any preference, limitations, or discrimination. This study examined various residential sale and rental advertisements from newspapers, shoppers, and online publishers for residential properties located in ten different cities across the state of Iowa. These advertisements were examined for questionable or possibly discriminatory wording, phrases, photographs, symbols or forms. The Civil Rights Commission worked to resolve any problems with an advertisement through discussion and consultation with the parties, as well as offer training and educational material to both the party that placed the ad and the media outlet which published the ad.

Rosenberg notes: "The rapid growth of the internet as an advertising tool may dramatically increase the opportunity for possible violations of federal and state law. Websites such as Craigslist.com and Forsalebyowner.com give individuals who may be inexperienced in the rental or sale of residential housing the ability to place ads with little to no oversight. Because of their inexperience, these individuals may not be fully aware of the requirements placed upon them by state and federal fair housing laws."

The study was funded by a Fair Housing Initiatives Grant received from the U.S. Department of Housing and Urban Development. The results from this study will be reported to the public and made available on the Commission website. The results will also be issued to various tenant/landlord associations, municipal human/civil rights commissions, the Iowa Newspaper Association, as well as any specific print or alternative advertisers from which advertisements were examined.

Any Iowan who believes that they or a family member or acquaintance have witnessed or viewed discriminatory advertisements are urged to contact the Iowa Civil Rights Commission for investigation of the advertisement.

Related Links:

ICRC Final Report: Discriminatory Advertising in the Rental or Sale of Residential Property - attached

HUD Fair Housing Information: <http://www.hud.gov/groups/fairhousing.cfm>

Filing Complaints with the ICRC: http://www.state.ia.us/government/crc/file_complaint/